

REMARKS

Claims 1-33 are pending in the application. Claims 1, 2, 6, 7, 11, 12, 20, 21 and 29-33 have been amended. Reconsideration of this application is respectfully requested.

The Office Action rejects claims 1-33 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,909,672 to Madore et al., hereafter Madore.

Independent claims 1, 6, 11, 20 and 29-33 have been amended to clarify that the first and second intervals have a framing relationship in which the first interval frames the second interval, that the activity data is processed based on the framing relationship and stored or retrieved from a memory based on the framing relationship. The term, "data structure", has been removed from independent claims 1, 6, 11, 20 and 29-33 and from dependent claims 2, 7, 12 and 21.

Since the term, "data structure", has been removed from the claims, the Examiner's contentions based thereon are obviated.

Madore clearly does not teach first and second activities that have first and second intervals in a framing relationship in which the first interval frames the second interval and the processing, storing and retrieving of activity data based on the framing relationship. The Examiner contends that the entry and updating of user information referenced at column 2, lines 13-16, constitute first and second activities. This passage refers to an interface of the SPF that allows a group to update user information stored in a PDCD when the PDCP is placed in its storage location. With reference to column 14, beginning at line 18, a user upon arrival to the job site removes the PDCP from its storage location and turns it on. The user information of user name and schedule for the day is displayed.

It is clear that the SPF updated the user information while the PDCP was docked in its storage location. The updating of the user information occurs at separate docking intervals that are unrelated. That is Madore does not disclose or teach any framing relationship between updating of the user information by the SPF.

The Examiner further contends that Madore teaches a processing unit that executes instructions, which could be the operation of the microcontroller, citing column 4, and lines 15-49. This passage refers to the PDCP and microcontroller 28. There is no teaching in this passage of a framing relationship between two activities. In fact, the passage does not even refer to two activities that are related to one another.

In view of the above refutation of the Examiner's arguments, it is clear that Madore lacks the framing relationship of the first and second activities and the steps and means that collect, process, store and retrieve activity data based on the framing relationship as recited in independent claims 1, 6, 11, 20 and 29-33.

With reference to claims 17 and 26, Madore does not teach the retrieval of data for all sub-activities that are framed at least in part by the first activity, based on a time based reference to the first activity. Madore retrieves data from the PDCPs based on their docking in the storage location and not based on a time reference to obtain activity of a specific activity.

With reference to dependent claims 18 and 27, Madore does not teach the retrieval of activity data based on a direct reference to the first activity. Madore retrieves data from the PDCPs based on their docking in the storage location and not based on a time reference to obtain activity of a specific activity.

For the reason set forth above, it is submitted that the rejection of claims 1-33 under 35 U.S.C. 102(b) as anticipated by Madore is obviated by the amendment and should be withdrawn.

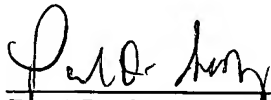
It is respectfully requested for the reasons set forth above that the rejection under 35 U.S.C. 102(b) be withdrawn, that claims 1-33 be allowed and that this application be passed to issue.

For the reasons set forth above, it is submitted that this amendment places the application in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and passed to issue. If this amendment is deemed to not place the application in condition for allowance, it is respectfully requested that it be entered for the purpose of appeal.

Respectfully Submitted,

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